



California Fair Political Practices Commission

November 24, 1987

Carole Cameron
1868 Fordham Way
Mountain View, CA 94040

RE: Your Request for Advice
Our File No. A-87-275

Dear Ms. Cameron:

You have requested advice concerning the campaign reporting provisions of the Political Reform Act of 1974.^{1/}

QUESTION

Is your organization, Citizens for Local Control of Education, required to file a Statement of Organization with the Secretary of State?

CONCLUSION

Your organization is not required to file the Statement of Organization, nor report receipts or expenditures, to the Secretary of State at this time.

FACTS

The County Committee on School Organization is currently studying whether four school districts within your county should be unified. This county committee has the authority to commission a study on the issue. Before such a study is conducted, however, the committee will accept public input.

Upon completion, the study will be presented to the State Board of Education, which will determine whether there is sufficient cause to call for a unification election.

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

Cameron, Carole
Page Two

Citizens for Local Control of Education has begun collecting donations to circulate printed information and place newspaper ads opposing the commission of the study. The Citizens group anticipates raising and expending more than \$500.

ANALYSIS

The Act requires candidates and "committees" to file periodic reports disclosing money raised and spent in connection with elections. (Sections 84200-84217.) A person or group of persons which receives "contributions" totaling \$500 in a calendar year must file a Statement of Organization and disclosure reports as a "recipient committee." (Section 82013(a).) A "contribution" under the Act is a payment made for "political purposes," which has been defined in Commission regulations as a payment:

For the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure;...(Regulation 18215(a)(1).)

Because the Citizens group is not being formed for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or the passage or defeat of any measure, the Citizens for Local Control of Education, as described, would not be a "committee" within the definition of the Act. (Section 82013.) Therefore, the Citizens group is not required to register with the Secretary of State or file campaign statements in connection with the activities outlined in your letter.

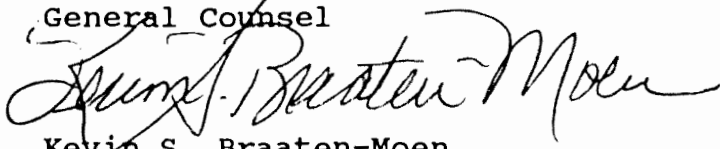
If, however, the Citizens group begins raising or spending money to influence an election, it will be required to register and file campaign statements once it has met the criteria in Gov. Code Section 82013 for qualification of committees.

If you have any additional questions, please call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths
General Counsel

By:


Kevin S. Braaten-Moen
Political Reform Consultant

Nov 3 8 17 AM '87

1868 Fordham Way
Mtn. View, CA 94040
October 30, 1987

Kevin Braaten-Moen
Fair Political Practices Commission
428 J Street
Sacramento, CA 95814

RE: Our telephone conversation on Oct. 30

Dear Kevin:

I am fully prepared to file form 410 for recipient committees, but would like a written statement from you whether this is indeed needed.

The situation is this. The County Committee on School Organization is currently studying whether 4 school districts should be unified. They will be taking input from the communities involved at 3 public meetings. If they decide a unification is politically feasible (i.e., might pass an election), they will mandate that a study be done. After the study, three public hearings will be held before a formal unification proposal is sent to the State Board of Education. It is the State Board of Education that determines if there is sufficient cause for a unification election to be held in the affected school districts.

The committee of which I am treasurer, Citizens for Local Control of Education, has formed to try to stop this process after the first 3 public meetings, so that the County Committee on School Organization will NOT mandate a study, public hearings, etc. To this end, we have circulated printed information and will put an ad in the newspaper before these meetings to inform the public. These measures will cost us more than \$500.

I need to know ASAP if we are a recipient committee and need to file. A phone call to me, followed by a letter, would be most helpful for my files. In the meantime, I will definitely keep records and follow the rules as if we are.

Sincerely,



Carole Cameron
1868 Fordham Way
Mtn. View, CA 94040
415-968-9103

87-275

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